

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

DEMOCRATIC NATIONAL  
COMMITTEE,

*Plaintiff,*

v.

THE RUSSIAN FEDERATION, et al.,

*Defendants.*

Case No. 1:18-cv-3501-JGK-SDA

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REPLY IN SUPPORT OF  
DEFENDANT GEORGE PAPADOPOULOS'S  
MOTION TO DISMISS COUNTS II, III, IV, VIII, XII, AND XIV  
OF THE SECOND AMENDED COMPLAINT

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Defendant George Papadopoulos joins defendant Donald J. Trump for President, Inc.'s Reply Memorandum in Support of its Motion to Dismiss the Second Amended Complaint and submits the following supplemental statement.

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In its opposition brief, Plaintiff lacks any persuasive response to defendant George Papadopoulos's Motion to Dismiss. Plaintiff simply cannot change the fact that nowhere in its Second Amended Complaint is there a single, substantive factual allegation of wrongdoing by Papadopoulos that could render him legally responsible for the alleged racketeering conduct of Russia and WikiLeaks. Moreover, Plaintiff misleadingly conflates Papadopoulos's wholly innocent actions, with others' allegedly deceitful conduct. Notwithstanding Plaintiff's transparently overblown portrayal of Papadopoulos's role in the formation of the alleged conspiracy, not once is there any actual factual allegation that support the vague assertion of "active support" for the alleged scheme.

In fact, it is now clear that there is no scenario in which the DNC could plausibly allege claims against Papadopoulos. According to Special Counsel Robert Mueller III's *Report On The Investigation Into Russian Interference In The 2016 Presidential Election* ("Mueller Report," available at <http://bit.ly/2L2cGqL>), his office's exhaustive investigation "did not establish that members of the Trump Campaign conspired or coordinated with the Russian government in its election interference activities." Muffreller Report 1–2. In fact, the Special Counsel specifically refuted many of the core allegations and inferences underlying Plaintiffs claims. As Judge Moss unambiguously concluded at Papadopoulos's sentencing: "I don't for a moment believe that Mr. Papadopoulos was seeking to assist the Russian government in any way." *United States v. Papadopoulos*, Case No. 17-cr-182-RDM, Sentencing Tr., Doc. No 48 (D.D.C. Sept. 7, 2018) at 39: 17-19. "I don't think there's any reason to concluded that Mr. Papadopoulos had any desire to aid Russia in any way, to do anything that was contrary to the national interest." (*Id.* at 38:12-15).

The Special Counsel's findings only further confirm what Judge Moss found in Papadopoulos's case. For all the reasons therein, and for all the reasons articulated in Papadopoulos's opening brief, the Court should dismiss all claims against Papadopoulos with prejudice.

Dated: June 3, 2019

Respectfully submitted,

/s/ Caroline J. Polisi

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**CERTIFICATE OF COMPLIANCE**

I, Caroline J. Polisi, certify that this brief complies with the Scheduling Order that this Court entered on October 1, 2018 (ECF No. 181) because it is under 10 pages, and that this brief complies with this Court's formatting rules.

Dated: June 3, 2019

/s/ Caroline J. Polisi

Caroline J. Polisi

*Counsel for George Papadopoulos*

**CERTIFICATE OF SERVICE**

I, Caroline J. Polisi, certify that on June 3, 2019, I caused the foregoing document to be electronically filed with the Clerk of Court using the CM/ECF system, which will send a notice of electronic filing to all registered parties.

Dated: June 3, 2019

/s/ Caroline J. Polisi

Caroline J. Polisi

*Counsel for George Papadopoulos*